

PLANNING COMMISSION REPORT



MEETING DATE: April 13, 2005

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT **Groman Residence - 23-AB-2004**

REQUEST Request to abandon the west ten (10) feet of the 76th Street right-of-way located on the eastern boundary of parcels: 216-69-003Q, 216-69-003R, and 216-69-003S.

Key Items for Consideration:

- The forty-foot half street right-of-way dedication was recorded on this site during the land division process in 1996.
- The property to the south of this site was divided into two parcels in February 1999, and at that time a thirty-foot half street right-of-way-dedication was required and dedicated for 76th Street.
- 76th Street is classified as a local street, which only requires a 40-foot wide right-of-way, 60 feet when it includes a trail.
- The western dedicated portion of 76th Street is unimproved and consists of desert vegetation.

Related Policies, References:

466-PA-2004,

OWNER Kevin and Jennifer Groman
602-319-1247

APPLICANT CONTACT Martha West
602-909-5836

LOCATION 29695 N 75th Pl

BACKGROUND

Zoning.

The site is zoned Single Family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-70 ESL FO) zoning district.

Context.

The site is located on the southwest corner of Dixileta Drive and 76th Street. The parcel was divided into 3 lots in 1996 and a 40-foot wide half street was dedicated on Dixileta Drive and 76th street as a result of that process. In 1997 a land division created an additional two lots. The 5 lots are developed and access to the lots is from Dixileta Drive thru an internal roadway terminating in a cul de sac. In 1999 the parcel to the south was divided into 3 parcels and at that time a 30-foot wide half street portion of 76th street was required and dedicated.



The 76th Street alignment is unimproved but graded along the eastern half street between Dixileta Drive and Peak View Road. The properties along the eastern boundary are using 76th Street for access.

APPLICANT'S
PROPOSAL

Goal/Purpose of Request.

The request is to eliminate the western 10 feet of the existing right-of-way along 76th Street.

Key Issues.

- Abandon the western 10 feet of 76th street for a distance of 523 feet
- The existing 76th Street dedication is 40-foot half street and 80 feet total.
- 76th Street is classified as a local street, which requires a 20-foot half street and 40 feet total.
- 76th Street alignment is identified as part of the trail master plan, and there will be a 60-foot wide total requirement to accommodate the trail.

IMPACT ANALYSIS

Traffic.

The applicant requests the abandonment of the western 10 feet of 76th Street. The removal of the western 10 feet of 76th Street for a distance of 523 feet will not affect the 60-foot requirement for the street classification of Local Street with trail. The proposed abandonment is acceptable to the traffic-engineering department.

Policy Implications.

This abandonment will not affect the minimum width requirement for the classification of 76th Street.

Community Involvement.

The neighbors residing within this development are all in agreement with this proposal to abandon 10 feet of right-of-way. One neighbor has contacted staff with concerns of losing the horse trail with the abandonment application. On Monday April 4, 2005, Mr. Groman invited neighbors to his home to discuss their issues. The neighbors who use the trail became aware that there was a misunderstanding of property boundaries, and the neighbors are satisfied that there will be no disturbance or vertical construction within 40 feet of the trail location.

Community Impact.

The abandoned property will become part of the adjacent lots; thereby eliminating the need to disturb a highly vegetated area to construct a road. Maintenance of the subject property will be the responsibility of the adjacent property owners. A horse trail will be accommodated within the existing right-of-way along the east side of 76th Street. See Attachment #4A.

STAFF
RECOMMENDATION

Recommended Approach:

Staff recommends approval.

RESPONSIBLE
DEPT(S)

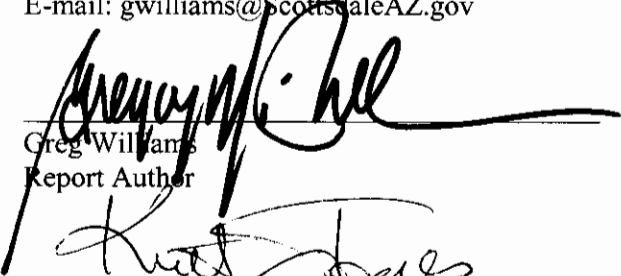
Planning and Development Services Department

Current Planning Services

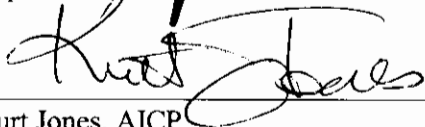
STAFF CONTACT(S)

Greg Williams
Senior Planner
480-312-4205
E-mail: gwilliams@ScottsdaleAZ.gov

APPROVED BY



Greg Williams
Report Author



Kurt Jones, AICP
Director, Current Planning

ATTACHMENTS

1. Departmental Checklist
2. Context Aerial
- 2A. Aerial Close-Up
3. Easements and Right-of-Way Map
4. Trails Area Plan
- 4A. Aerial showing Horse Trail
5. City Notification Map
6. Abandonment Area

CASE 23-AB-2004

Department Issues Checklist

Transportation

☒ Support

The proposed abandonment of a 10 foot portion of the western half of 76th Street is acceptable to the transportation department at the location beginning along the southwest corner of 76th Street and Dixileta Drive

Trails

☒ Support

The public trail will be located within the 76th Street dedicated right-of-way alignment.

Adjacent Property Owner Notification

☒ Support

The adjacent property owners have been notified and there has been no response at the time of drafting this report

Public Utilities

☒ Support

All utility companies have responded with letters of support for this abandonment request.

Water/Sewer Services

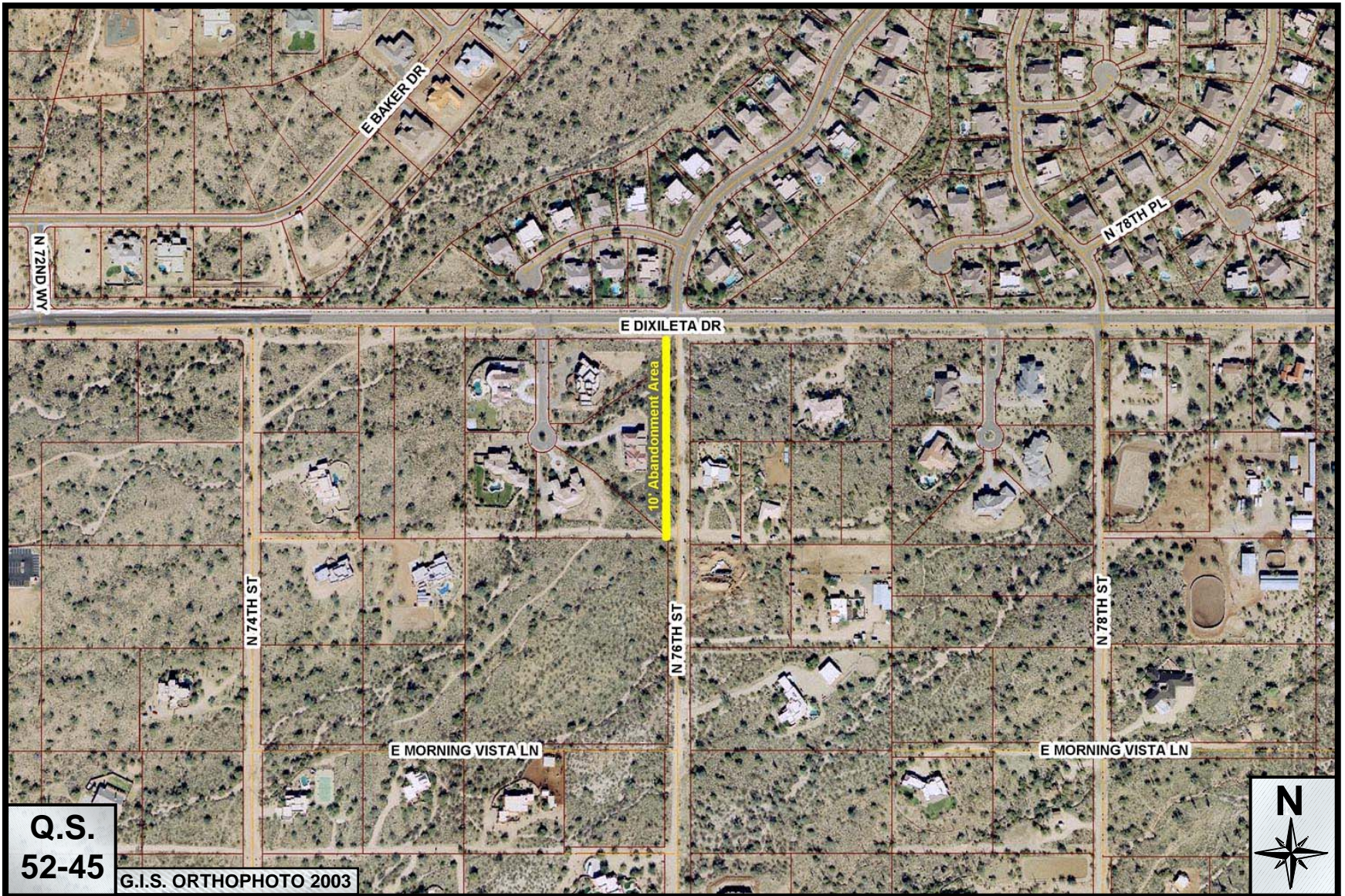
☒ Support

Water and Sewer Services support the abandonment and have no request for additional easement reservations.

Drainage

☒ Support

Drainage easements for washes over 50 cubic feet per second will be required over property returned to adjacent lots.



Q.S.
52-45

G.I.S. ORTHOPHOTO 2003



Groman Residence

23-AB-2004

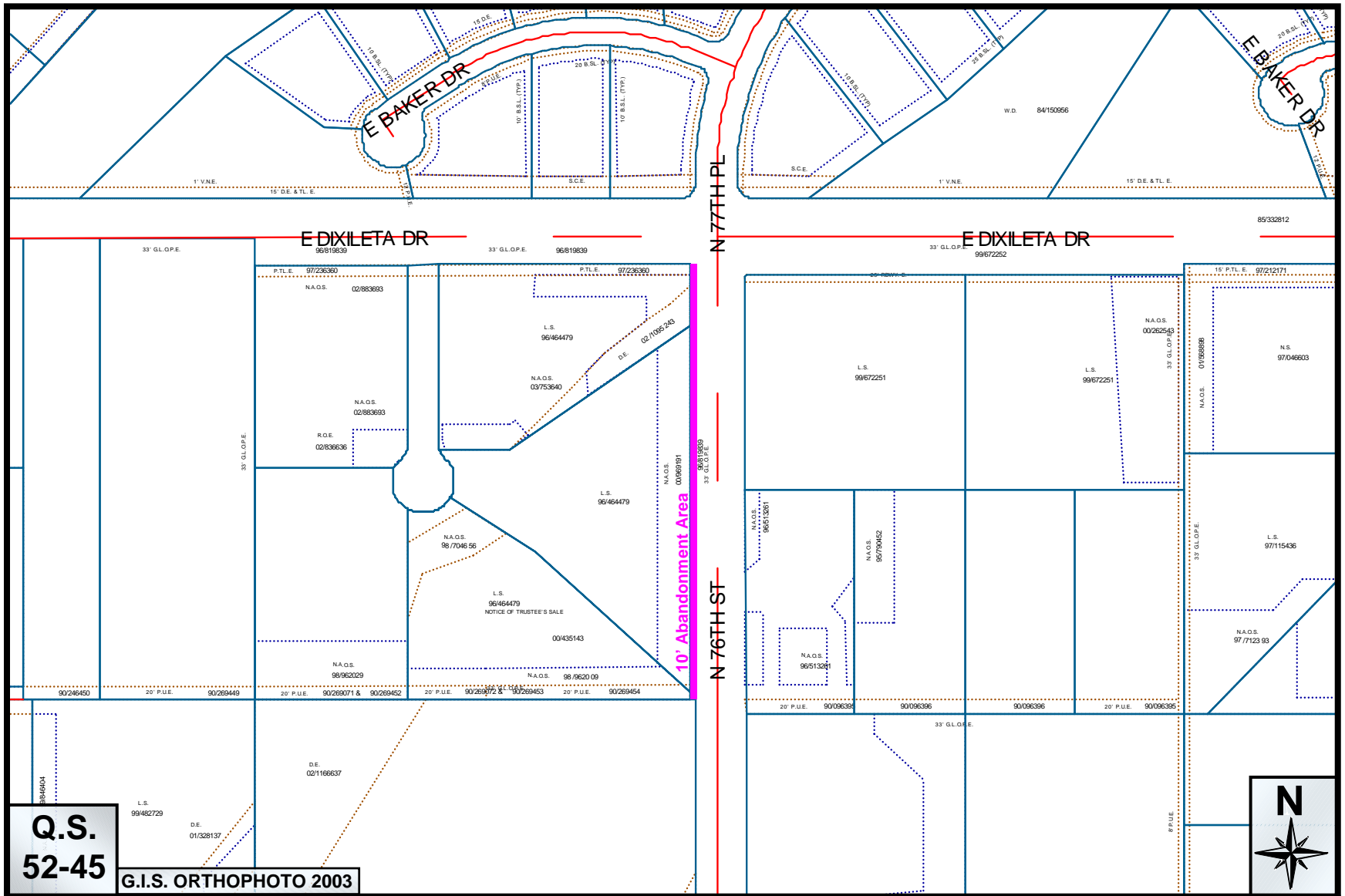
ATTACHMENT #2



Groman Residence

23-AB-2004

ATTACHMENT #2A



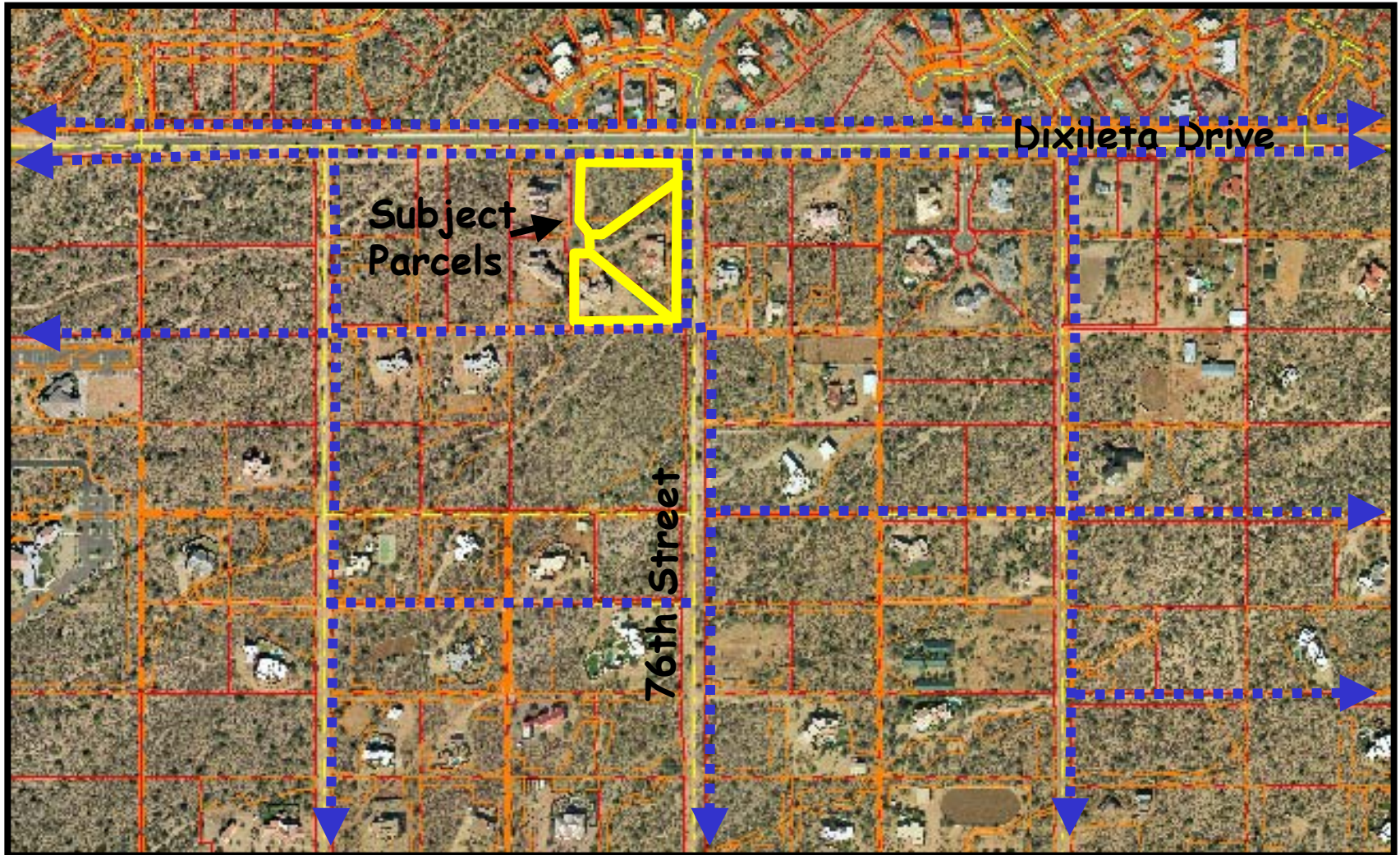
**Q.S.
52-45**

G.I.S. ORTHOPHOTO 2003

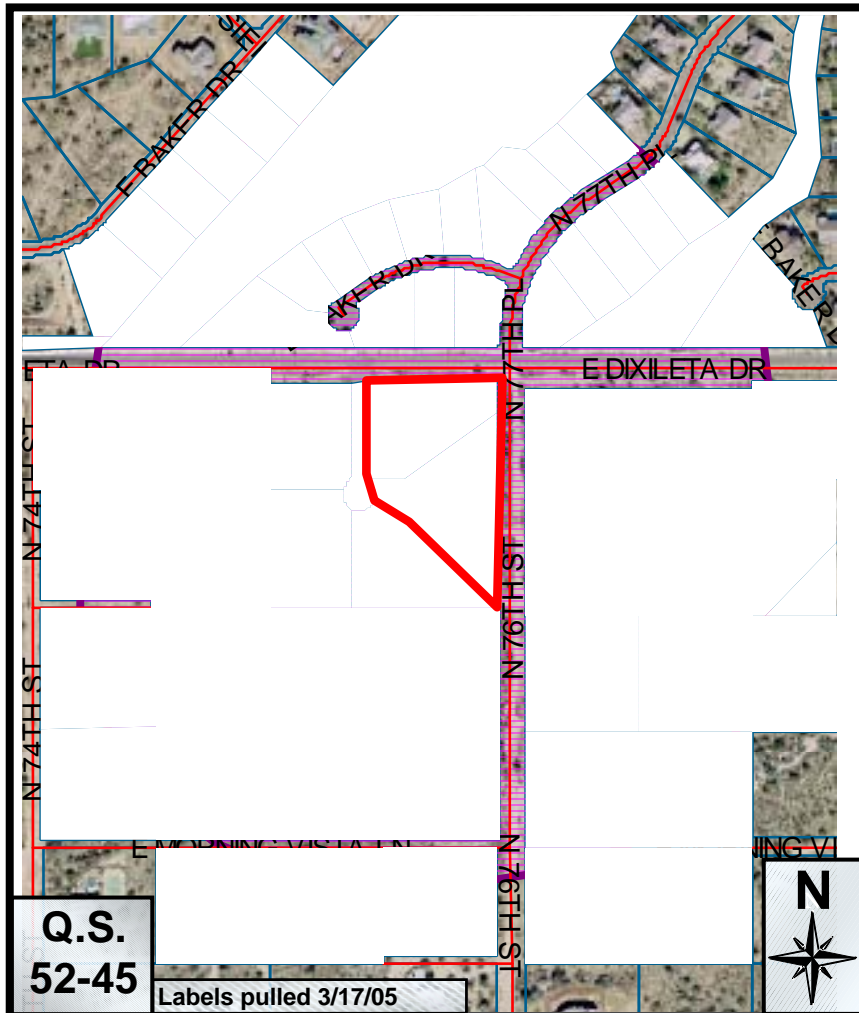
Groman Residence

23-AB-2004

Master Plan Trails in the area of 23-AB-2004



City Notifications – Mailing List Selection Map



Map Legend:



Site Boundary



Properties within 750-feet

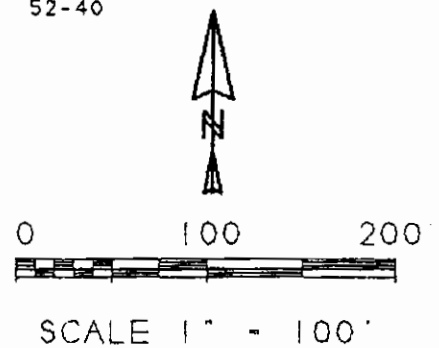
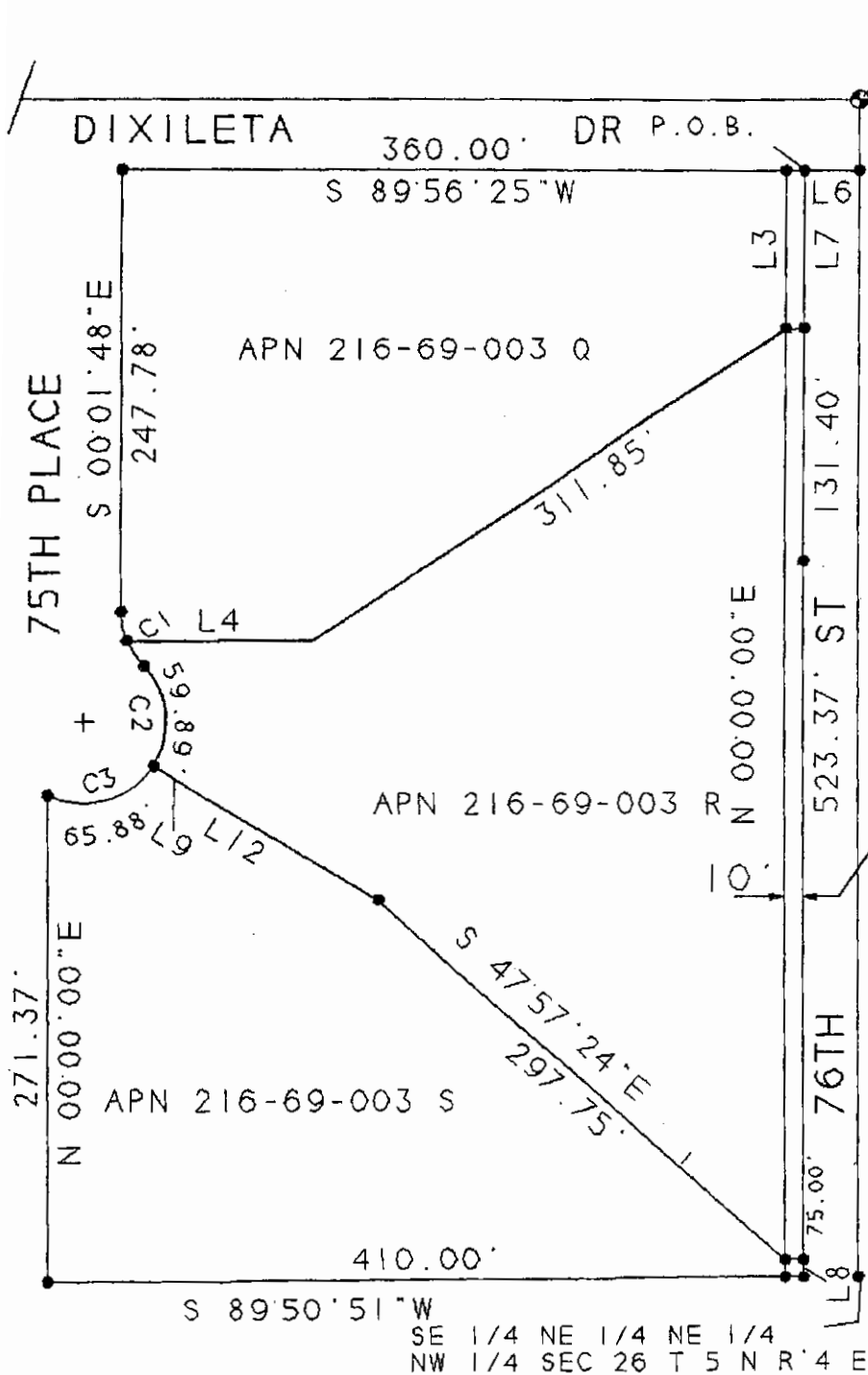
Additional Notifications:

- Interested Parties
- Dixileta Verde Homeowners Association
- Las Piedras Homeowners Association
- Friends of the Scenic Drive
- Lone Mountain Vista
- Trovia Community Association

Groman Residence

23-AB-2004

ATTACHMENT #5



RIGHT OF WAY TO BE VACATED
W 10 FEET OF E 40 FEET
NE 1/4 NE 1/4 NW 1/4
SECTION 26 T 5 N R 4 E
G&SRM, MARICOPA COUNTY AZ.

LINE	BEARING	DISTANCE
L 1	S 00°00'00"E	40.13'
L 3	S 00°00'00"E	87.45'
L 4	S 89°49'51"W	100.00'
L 6	N 89°56'25"W	30.00'
L 7	S 00°00'00"E	87.45'
L 8	S 00°00'00"E	10.00'
L 12	S 57°30'25"E	143.37'

CURVE	DELTA ANGLE	RADIUS	ARC
C 1	21°53'04"	45.00'	17.19'
C 2	76°15'20"	45.00'	59.89'
C 3	83°53'27"	45.00'	65.88'

A.L.S. SURVEYING & MAPPING
10401 North Cave Creek Rd., #230
Phoenix, AZ 85020-1830
(602) 371-0553